

DATE	PROCEEDINGS
3-9-71	CC of J & C returned, filed - defendant in custody U. S. Marshal from 1-18=71 at Tulsa County jail and delivered to Federal Reformatory at ElReno, Oklahoma on 3-4-71. b
6-8-71	Defendant present in person and rperesented. The government represented by Ben Baker. The Defendant havaing been convicted upon his plea of guilty and having on 2-23-71 been committed to the custody of the Atty. Gen. pursuant to 18 U.S.C.A. Sec. 4208(b) for imprisonment for a term of Five (5) years and for a study as described in 18 U.S.C.A. Sec. 4208(c) and the Court having now received and considered the report of such study, IT IS ADJUDGED that the period of imprisonment heretofore imposed is hereby reduced to Five (5) years, including time already served. IT IS FURTHER ordered by the court that the defendant may become eligible for parole at such time as the board of parole may determine as provided in T. 18, U.S.C. 4208(a)(2). (AEB-J)h
6-8-71	Order of J&C filed and entered. (AEB-J)h
6-8-71	Two c.c. of order delivered to USM.h
7-29-71	J&C, ret. & filed: defendant delivered to FCI, Texarkana, Tex. 6-18-71. g
8-19-71	Order, that motion pursuant to Rule 35 (letter) be overruled, filed. (AEB-J) ds. copy mailed to petitioner.
5-4-72	Plaintiff's petition for a copy of transcript, filed. ds
5-8-72	Order that def.'s req. for transcript at Govt. expense is overruled and dismissed. (AEB-J) rm - copies to all counsel and petitioner
5-16-72	Motion to withdraw plea under Rule 11, filed. ds
5-16-72	Motion for appointment of competent counsel, filed. ds
5-16-72	Motion for "Instanter" filed. ds
5-16-72	Affidavit in forma pauperis, filed. ds
5-25-72	Petitioner's motion to dismiss, filed. ds <i>copy to De</i>
5-31-72	Order, filed, that deft's motion to withdraw plea under Rule 11 is dismissed, deft's motion to dismiss said motion to withdraw plea is sustained, deft's motion for appointment of competent counsel & motion for instanter are overruled as moot and dismissed. (AEB-J)hm (copies mailed)
10-16-72	Transcript of proceedings on sentencing, 6-8-71, filed. (LEM-Rptr.) <i>file copy only</i>
10-27-72	Reporter's Transcript of Proceedings had on 2-9-71, for Plea and Arraignment, taken before Larry E. Marks, CSR, Filed. v (1 filed also)

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Jack C. Silver 411 U. S. Courthouse, Tulsa, Okla.
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET No. 1 CASE No. 186
THE UNITED STATES
vs.
James Alfred Donald, Jr.

Complaint filed on Jan. 18, 1971, by John R. DeWitt
Official title Special Agent, FBI, charging violation of
United States Code, Title 18, Section 2312, on Jan. 15,
1971, at Creek County in the
division of the Northern district of Oklahoma
as follows: transport in interstate commerce from
Wichita, Kansas to Creek County, Okla. a stolen
1968 Ford Torino, Veh Identification number
8K42F222988, he then knowing the same to have
been stolen.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Jan. 18, 1971 Warrant/Summons for James Alfred Donald, Jr.
(Name of defendant)
to (name and title of officer)
Substance of return

Date Warrant/Summons for
to (name and title of officer)
Substance of return

FILED
17408
JAN 18 1971
JOHN H. POE, CLERK
U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Jan. 18, 1971 Arrested by Carl Gardner
on warrant of Jack C. Silver
(Name of issuing officer)
without warrant.

Appearances { for United States Hubert H. Bryant
(Name) (Address)
for accused
(Name) (Address)

Proceedings taken on January 18, 1971, the accused present and not represented by
(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared,"
Counsel. The accused was advised to his rights, the charge filed against him,
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
and to a Preliminary hearing. The accused waived counsel and signed waiver,
if that is the fact; any adjournments taken, etc.
waives preliminary hearing. The accused signed Deft. affidavit for Appointed
Counsel. Mr. John S. Athens, of the 1st National Bk. Bldg., Tulsa, Okla. is
appointed. Bond is set in the amount of \$2,500.00, with the accused unable
to make bond is remanded to the custody of U. S. Marshal.

Outcome 1-18-71, accused waives preliminary hearing.

Bail fixed Jan. 18, 1971 Amount, \$ 2,500.00 Bonded
deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19.

SUBPOENAS FOR WITNESSES ISSUED:

....., 19....., for (name of witness).....
 at request of (name of party).....
 Substance of return.....

....., 19....., for (name of witness).....
 at request of (name of party).....
 Substance of return.....

....., 19....., for (name of witness).....
 at request of (name of party).....
 Substance of return.....

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date..... Appearances for

United States (Name)
 (Address)

Accused (Name)
 (Address)

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

.....;

.....;

.....;

.....;

Witness payroll containing..... names certified to United States Marshal for payment....., 19.....
 Proceedings taken.....

The accused waived preliminary hearing on Jan. 18, 1971.

Outcome.....

Bail fixed....., 19..... Amount, \$..... Bonded....., 19....., by cash
 deposited by (name)..... Address.....
 transmitted to clerk of district court....., 19.....
 [or] by surety (names)..... Address.....
 and..... Address.....
 who justified by affidavit....., 19..... Committed to.....
 on....., 19.....

Certified to be a correct transcript.

Made this 18th day of January, 19 71.

Transmitted to Clerk of United States District Court for the Northern
 district of Oklahoma, January 18, 19 71

United States Commissioner.